

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

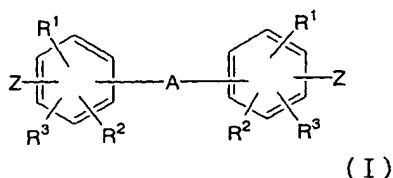
LISTING OF CLAIMS:

1. (currently amended): A positive resist composition comprising:
 - (A) an alkali-soluble polysiloxane resin;
 - (B) an acid generator composed of a compound which generates an acid upon irradiation of active light or radiant ray; and
 - (C) a compound in which at least one hydrogen atom of the phenolic hydroxyl group or carboxyl group of the compound is substituted with an acid-decomposable group,
wherein said Ingredient (A) is an alkali-soluble polysiloxane resin comprising (a1) a siloxane unit containing an alkali-soluble group, and (a2) a siloxane unit containing an alkali-insoluble group, said alkali-insoluble group having no acid-decomposable group.
2. (canceled)
3. (currently amended): A positive resist composition according to claim [[2]] 1, wherein the alkali-soluble group of said siloxane unit (a1) is at least one of hydroxyl group and carboxyl group.
4. (original): A positive resist composition according to claim 3, wherein, in said siloxane unit (a1), the alkali-soluble group is bonded to the silicon atom of a siloxane group through at least one group selected from the group consisting of alkylene groups, cycloalkylene groups and aralkylene groups.
5. (original): A positive resist composition according to claim 4, wherein said siloxane unit (a1) is a hydroxybenzylsilsesquioxane unit.

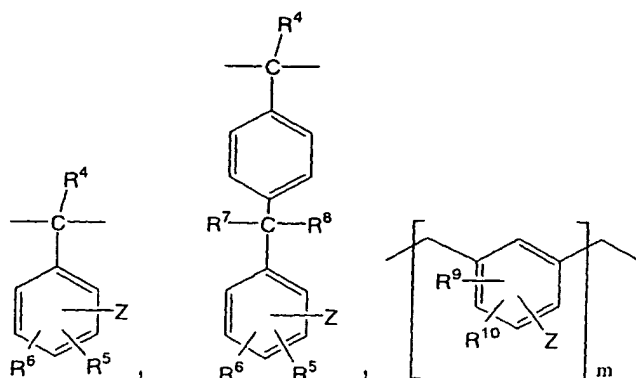
6. (currently amended): A positive resist composition according to claim [[2]] 1, wherein said alkali-insoluble group having no acid-decomposable group of said siloxane unit (a2) is at least one selected from the group consisting of alkyl groups, cycloalkyl groups, aryl groups and aralkyl groups.

7. (original): A positive resist composition according to claim 6, wherein said siloxane unit (a2) is a phenylsilsesquioxane unit.

8. (original): A positive resist composition according to claim 1, wherein said Ingredient (C) is a compound in which at least one hydrogen atom of the hydroxyl group or carboxyl group of a compound of following Formula (I) is substituted with an acid-decomposable group, said acid decomposable group being selected from the group consisting of tertiary-alkyloxycarbonyl-substituted alkyl groups, tertiary-alkyloxycarbonyl groups, tertiary_alkyl groups, cyclic ether groups and alkoxy-substituted alkyl groups:



wherein Z is a hydroxyl group or a carboxyl group; each of R¹, R² and R³ is independently a hydrogen atom, a hydroxyl group, a halogen atom, an alkoxy group having from 1 to 5 carbon atoms, or a linear, branched or cyclic alkyl group having from 1 to 6 carbon atoms; A is a single bond or a divalent organic group selected from the group consisting of alkylene groups each having from 1 to 5 carbon atoms, alkylidene groups each having from 2 to 5 carbon atoms, alkylene groups each having from 1 to 5 carbon atoms and further having a carboxyl group, alkylidene groups each having from 2 to 5 carbon atoms and further having a carboxyl group, a carbonyl group, and groups of the following formulae:



R⁴ is a hydrogen atom or an alkyl group having from 1 to 5 carbon atoms; each of R⁵ and R⁶ is independently a hydrogen atom, a halogen atom, a hydroxyl group, an alkyl group having from 1 to 5 carbon atoms, or an alkoxy group having from 1 to 5 carbon atoms; each of R⁷ and R⁸ is independently an alkyl group having from 1 to 5 carbon atoms; each of R⁹ and R¹⁰ is independently a hydrogen atom, a hydroxyl group or an alkyl group having from 1 to 5 carbon atoms; and m denotes an integer from 1 to 6.

9. (original): A positive resist composition according to claim 8, wherein said acid-decomposable group is at least one selected from the group consisting of tert-butyloxycarbonylmethyl group, tert-butyloxycarbonyl group, tert-butyl group, tetrahydrofuranyl group, tetrahydropyranyl group, ethoxyethyl group and methoxypropyl group.

10. (previously presented): A base material comprising:
 an organic polymer layer as a first layer formed on a substrate; and
 a second resist layer formed on said organic polymer layer, said second resist layer being composed of a positive composition according to claim 1 and having a thickness of from 50 to 200 nm.